



The Commonwealth of Massachusetts

Department of State Police

Massachusetts State Police Detective Unit

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TO: Detective Lieutenant Jack Mawn #2402
Unit Commander, Cape and Islands State Police Detective Unit

FROM: Trooper Gerald F. Donovan, #3424
Cape and Islands State Police Detective Unit

SUBJECT: INDECENT ASSAULT & BATTERY ON NANTUCKET

CASE#: 2017-102-483

1. On Wednesday, November 22, 2017, at approximately 11:10AM, Detective Brett Morneau and I interviewed [REDACTED] N. [REDACTED] (DOB [REDACTED]) at the Cape and Islands District Attorney's office in Barnstable. The interview was in regards to allegations [REDACTED] has made that Kevin Spacey Fowler (DOB: [REDACTED]), hereinafter referred to as SPACEY, sexually assaulted him at the Club Car in Nantucket on July 7, 2016. [REDACTED] had previously reported the assault via telephone to Nantucket Police Officer Kelly on October 31, 2016 (see attached).
2. [REDACTED] gave us the following account of what transpired between July 7, 2016 and July 8, 2016:
 - a. [REDACTED] was working at the Club Car on Nantucket as a bus boy. He started work at 4PM and his shift typically ended around midnight. [REDACTED] and the other employees had a staff meal before he started busing tables at approximately 5:30PM. It was at the beginning of his shift, or maybe in or around the staff meal, when [REDACTED] learned SPACEY would be at the Club Car. SPACEY arrived at approximately 11:30PM when [REDACTED] was still working. [REDACTED] had heard he'd arrived and saw SPACEY standing at the bar. SPACEY was with his manager, who [REDACTED] said was a Duke graduate. [REDACTED] never waited on SPACEY while he was working. [REDACTED] work attire was very formal so he brought a change of clothes which he changed into when his shift ended around midnight. [REDACTED] said there might be an

electronic time card indicating when he punched out. I asked about video surveillance in the restaurant, but [REDACTED] said he didn't think there was one.

- b. SPACEY and his manager were sitting at a table across from the bar, near the front door, speaking with [REDACTED] friend, Nick Uzelak. Nick was the doorman/bouncer of the Club Car, but was not working that night. [REDACTED] pulled Nick aside to ask Nick to introduce him to SPACEY since it looked like they were hitting it off. Nick said, "I thought I would just stop by to say hello." Nick told him it wouldn't be a problem. Nick didn't believe SPACEY took any pictures with people in the Club Car that night.
- c. [REDACTED] thinks it was between 12:00 and 12:30AM when he was introduced to SPACEY. He changed up after his shift ended at approximately midnight, spoke to some co-workers, and then went over to where SPACEY was sitting. SPACEY was sitting at the tables across from the bar, but not at the bar itself. Nick introduced them and SPACEY asked where [REDACTED] was from to which [REDACTED] responded, "Boston". SPACEY told [REDACTED] how his dog is named Boston because he got it in a hospital in Boston after the marathon bombings. SPACEY asked [REDACTED] how old he was and [REDACTED] told him he was twenty-three. SPACEY asked [REDACTED] where he went to school to which [REDACTED] responded he went to Wake Forest and was studying business. [REDACTED] was sitting at the table with everyone at that point. SPACEY's manager, Nick and his friend were around in the bar. SPACEY told [REDACTED] his manager could get him a job. [REDACTED] spoke to the manager and tried to talk "shop" about business, but [REDACTED] didn't know much really. [REDACTED] said it was because he was really only 18 and had not even started college yet. SPACEY had been at the bar while [REDACTED] spoke to the manager, but came back to [REDACTED] when the conversation ended.
- d. SPACEY asked [REDACTED] if he wanted a drink and [REDACTED] said, "Yes, a Stella." The drink buying continued throughout the night. [REDACTED] estimated the first drink was prior to 12:30AM with the bar being open pretty late and [REDACTED] thinking he was there until 1:30AM. [REDACTED] said the bar typically closed at 2AM. [REDACTED] described that night as busy and crowded. [REDACTED] said again they were near the front door and then he and SPACEY moved to where the piano was.
- e. The drinks continued constantly through the whole night. Things started to get a little fuzzy when [REDACTED] and SPACEY went over to the piano. [REDACTED] said he had at least 4 or 5 beers before SPACEY said they should switch to whiskey adding, "Let's get drunk." [REDACTED] said he and SPACEY had 4 to 5 glasses of whiskey. SPACEY was buying drinks for just the two of them, but the manager may have sometimes bought drinks for them, but [REDACTED] thought it was mostly just the two of them. [REDACTED] said there were 3 or 4 drinks prior to going over to the piano and he wasn't sure what they were talking about while at the

table. At the piano, [REDACTED] said they were doing sing-alongs and SPACEY had his arm around [REDACTED] said he hadn't had any drinks before SPACEY bought him the first beer.

- f. [REDACTED] did say while they were at the table they spoke about his girlfriend and SPACEY asked how long they'd been dating. [REDACTED] told him 5 months and SPACEY said that was nothing. [REDACTED] had been texting her and SPACEY told him to stop talking to her. The bar was noisy with people talking and the piano playing. SPACEY asked [REDACTED] what he was packing and [REDACTED] knew what he meant due to the context of the conversation they were having about [REDACTED] girlfriend. [REDACTED] told SPACEY he was average and SPACEY told [REDACTED] his dick was 8 inches long. [REDACTED] said he did not know how to respond to that.
- g. [REDACTED] said there wasn't much else prior to the piano as far as conversation went. [REDACTED] said he was wearing shorts and a button-down shirt. [REDACTED] described the shirt as a red, loose button-down shirt.
- h. [REDACTED] said they had both headed over to the piano together. They were singing along together, having a good time. The piano player was one of two guys who play the Club Car all summer. [REDACTED] said they went to the piano before 1AM, maybe 12:45AM or 12:50AM. [REDACTED] said he and SPACEY exchanged numbers before they went to the piano. SPACEY told [REDACTED] he would be there for the rest of the week. SPACEY said he was going to the brewery and they should exchange numbers so they could meet up later. SPACEY knew [REDACTED] worked at the Club Car. [REDACTED] said drinks were still coming while they were at the piano. [REDACTED] remembered the bartenders were Peggy and Dave. [REDACTED] felt they knew he was there and that he was with SPACEY.
- i. They were mostly just singing at the bar when around 1AM they went outside to smoke a cigarette. [REDACTED] doesn't usually smoke so SPACEY was the one who brought it up. They went to the back bench behind the Club Car. There SPACEY asked [REDACTED] if he wanted to go back to his house with his friends. [REDACTED] told SPACEY he had to work the next day and he had to get home because he was staying with his grandma. [REDACTED] said he didn't want to go back to SPACEY's because the request seemed weird based on SPACEY's earlier comment about his dick. [REDACTED] said he saw that comment as a red flag and did not want to go back to SPACEY's house. SPACEY pressed [REDACTED] on going over his house and said a ride home wouldn't be a problem, they would get him a taxi or Uber. SPACEY told [REDACTED] he could have that picture he wanted. It all seemed like a come-on to [REDACTED] He thought Kevin SPACEY was gay and trying to get him back to his house.

- j. They finished smoking the cigarette outside and they went back inside to the piano. [REDACTED] was uncomfortable when they were inside. [REDACTED] only lingered around because he wanted a picture with SPACEY, something for Instagram. SPACEY had told him if you come back with me, I will take a picture with you. [REDACTED] had asked earlier, but SPACEY had said no because then he'd have to take pictures with everyone. SPACEY did sign his autograph on a torn menu for [REDACTED] and [REDACTED] [REDACTED] autograph said, "Your turn at drinks" and [REDACTED] said "Always Smiles". SPACEY signed the autographs in the area of the piano, before they went outside.
- k. [REDACTED] thinks they were outside smoking a cigarette for about 10 to 15 minutes. SPACEY was persistent in trying to get [REDACTED] back to his house.
- l. When they went back to the piano, it was still very crowded. SPACEY was standing in front of [REDACTED] to [REDACTED] right. SPACEY used his left hand and started rubbing [REDACTED] thigh. SPACEY worked his way up to [REDACTED] zipper. [REDACTED] said this happened quickly. SPACEY unzipped his pants. [REDACTED] wasn't sure if SPACEY went into his pants through the open zipper, but over [REDACTED] pants and boxer shorts, putting his hand on [REDACTED] penis. [REDACTED] described it as a sexual manner. [REDACTED] was asked to expound upon that and he described SPACEY to be rubbing his dick. [REDACTED] didn't know what to do. He didn't want to get in trouble at work or get his work in trouble. He knows he's only 18, he's not supposed to be drinking, and he's not supposed to be drinking at his work. While SPACEY is touching his penis, [REDACTED] was texting and snapchatting. [REDACTED] thinks the touching went on for about 3 minutes. SPACEY goes back and forth, in and out of his pants several times, more than two to three times, but closer to several times. SPACEY continued the touching through the top of [REDACTED] pants. He didn't go in through the fly.
- m. SPACEY didn't say anything before he touched [REDACTED] or during the touching or after the touching. [REDACTED] didn't say anything to SPACEY either. [REDACTED] could've moved away, but it was crowded. [REDACTED] didn't get an erection and he said he wasn't gay. [REDACTED] described it as SPACEY trying to jack him off, the way SPACEY was playing with his dick, but [REDACTED] wasn't erect. [REDACTED] tried to shift away with his body and move SPACEY's hands away with his hands, but SPACEY kept reaching down his pants.
- n. [REDACTED] said his girlfriend did not believe him so that's when he snapchatted the video. The video is one of the last times SPACEY touched him. [REDACTED] said he had his phone in his left hand and he may have had a glass of whiskey in his right hand. SPACEY then stopped and left to go to the bathroom. [REDACTED] couldn't remember if he approached a woman or if a woman approached him, but she saw he was in distress. [REDACTED] told her he thought

Kevin SPACEY is trying to rape him. She told him to go so he did. [REDACTED] went out the back door and ran up Main Street until he got home to 26 [REDACTED] Street.

- o. [REDACTED] was shown the video he said was of SPACEY touching him and [REDACTED] was wearing a blue shirt. [REDACTED] said that was right, it was a blue shirt. SPACEY was wearing a ball cap, a grey, tweed blazer and pants.
 - p. While he was on his way home—about half way up Main Street—[REDACTED] received a text from SPACEY saying, "I think we lost each other". [REDACTED] did not respond to the text. [REDACTED] got home and woke up his sister, [REDACTED] to tell her what happened. [REDACTED] then called their mom. His parents were home in Dover, but [REDACTED] mother came to the island the next day. [REDACTED] told [REDACTED] he woke up around 4AM and started pacing around the room.
 - q. [REDACTED] said the whole thing was embarrassing and has not had a "profound emotional effect" on him. [REDACTED] told his friends about it and he makes jokes about it because that's his way. [REDACTED] called the police because he doesn't want what happened to him to happen to anyone else.
3. At the end of the interview, [REDACTED] said he still went to work the next day, but told the owner, Joe, what happened because he wanted to leave if Kevin SPACEY came back. According to [REDACTED] Joe asked him if it was his first time being hit on by a guy. [REDACTED] said his mother told him that day to call the police, but [REDACTED] did not want to get anyone at the bar in trouble. [REDACTED] described the woman who told him to leave as in her 30's or 40's, pretty, possibly blonde, but he'd never seen her before. I asked [REDACTED] if he'd been drunk before and [REDACTED] said he'd been drunk a lot and has blacked out before. [REDACTED] said his senior year was very good. I asked [REDACTED] if he blacked out that night and [REDACTED] said not at the restaurant, but he didn't remember pacing around like his sister said. I asked if he made it home safely and [REDACTED] said he did, but he was definitely hungover the next day before he went to work at 4PM.
4. The interview concluded at 1:02PM.

Respectfully Submitted,

Trooper Gerald F. Donovan, #3424
Massachusetts State Police Detectives
Cape and Islands District